THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

A.H., a minor, by her next friend : and mother, Tracey Handling, :

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Plaintiff,

3:17-CV-391

(JUDGE MARIANI)

MINERSVILLE AREA SCHOOL

DISTRICT,

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:

Defendant.

ORDER

AND NOW THIS 2ND DAY OF OCTOBER, 2019, upon consideration of the Plaintiff's Motion for Partial Summary Judgment (Doc. 36) and Defendant Minersville Area School District's Motion for Summary Judgment (Doc. 37), for the reasons set forth in this Court's accompanying memorandum opinion, IT IS HEREBY ORDERED THAT:

- Plaintiff's Motion for Partial Summary Judgment (Doc. 36) is GRANTED IN PART AND DENIED IN PART as follows:
 - a. Summary judgment is **GRANTED** in favor of Plaintiff and against Defendant as to Plaintiff's claim that Defendant's policy preventing A.H. from using the women's bathroom on school field trips violates Title IX and the Equal Protection Clause of the Fourteenth Amendment.
 - b. Summary judgment is **DENIED** with respect to Plaintiff's claim that Defendant violated A.H.'s rights under Title IX and the Equal Protection Clause of the

Fourteenth Amendment when A.H. was directed to use the unisex restrooms at school in first grade.

- 2. Defendant's Motion for Summary Judgment (Doc. 37) is **DENIED**.
- 3. Defendant Minersville Area School District and its agents and representatives are hereby **PERMANENTLY ENJOINED** from refusing or failing to permit A.H. from using the bathroom corresponding with her gender identity on school field-trips.
- 4. A date and time for a telephone conference for trial-scheduling purposes will be issued by separate order.

Robert D. Marian

United States District Judge